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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,689	12/07/2001	Tsuyoshi Aida	001560.411	8606

21839 7590 11/10/2005

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EXAMINER

THAI, CANG G

ART UNIT PAPER NUMBER

3629

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/980,689

Applicant(s)

AIDA, TSUYOSHI

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/12/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. PCT/JP01/03008, filed on 04/06/2001.

### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on 07/12/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5,666,493 (WOJCIK ET AL).

As for claim 1, WOJCIK discloses a logistics system used for the flow of saleable items in an economy comprised of customers and economic entities,

said logistics system characterized by being constructed from

a demand information layer which receives as input request information for saleable items from customers and generates integrated demand information for the

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economic entities using the request information {Column 7, Lines 43-47, wherein this reads over “shown in the diagram is the function of taking incoming orders (154) from customers as well as distribution center replenishment, information on returns and purchase of raw materials generated through POs”},

a supply information layer which receives as input said integrated demand information and generates integrated supply information for economic entities making up a business process relating to the supply of the saleable items relating to the requests from the customers {Column 7, Lines 49-56, wherein this reads over “the carrier selection function (158), as further described hereafter, goes through a series of decisions making steps to select the correct carrier for the information and sends it to the load release receipt function (160) where data is created to input to the carrier monitoring function (162) as the well as shipment tracking function (164)”}, and

an integrated transportation layer which receives as input said integrated supply information, generates integrated transportation information relating to the saleable items, and integrately executes the physical transportation of the saleable items within the economy {Column 7, Lines 56-58, wherein this reads over “from the shipping tracking function (164) information flows to the freight claim management function (166) as well as the freight payment reconciliation function (166)”}.

As for claim 2, WOJCIK discloses a logistics system used for the flow of saleable items in an economy comprised of customers and economic entities,

said logistics system characterized by being provided with

a supply chain management system interposed between a demanding system converting requests issued from customers for saleable items to demand information and a supplying system converting said demand information to supply information and, on a single enterprise basis, managing the demanding system and supplying system { Column 7, Lines 43-47, wherein this reads over “shown in the diagram is the function of taking incoming orders (154) from customers as well as distribution center replenishment, information on returns and purchase of raw materials generated through POs”} and

a transportation management system interposed between a transporting system converting said executing physical transportation of said saleable items and the supplying system and, on a single enterprise basis, managing the supplying system and transporting system {Column 7, Lines 56-58, wherein this reads over “from the shipping tracking function (164) information flows to the freight claim management function (166) as well as the freight payment reconciliation function (166)”}.

As for claim 3, WOJCIK discloses a logistics system as set forth in claim 2, further provided with an integrated management system for, on a single enterprise basis, managing the supply chain management system and transportation management system and optimizing the flow of saleable items {Column 8, Lines 1-2, wherein this reads over “it is a system that allows for multiple tracing of carriers available to deliver goods to customers”}.

As for claim 4, WOJCIK discloses a logistics system used for the flow of saleable items in an economy comprised of customers and economic entities,

said logistics system characterized by forming a standardized integrated communication platform in the economy and, on a single enterprise basis, managing the customers and economic entities {Column 7, Lines 41-43, wherein this reads over "Fig. 9 is a diagram of the delivery process for managing and executing activities associated with inbound and outbound movement of goods"}.

As for claim 5, WOJCIK discloses a logistics system as set forth in claim 4, further provided with a process connection agent in said integrated communication platform, said process connection agent able connect the customers and economic entities to enable the flow of information relating to saleable items {Column 7, Lines 47-49, wherein this reads over "this information flows goes to the function for carrier selection (158)"}.

As for claim 6, WOJCIK discloses a logistics system as set forth in claim 5, wherein said process connection agent has or connects

a supply chain management system interposed between the demanding system converting a request issued by a customer for saleable items to demand information and a supplying system converting the demand information to supply information and, on a single enterprise basis, managing the demanding system and the supplying system and a transportation management system interposed between the transporting system for converting the supply information to transportation information and executing the physical transportation of the saleable items and the supplying system and, on a single transporting system {Column 4, Lines 36-38, wherein this reads over "Fig. 1b

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further describes the relationship of input devices (2 and 4) to the system which captures sales representative and customer activities including financial data”}.

As for claim 7, WOJCIK discloses a logistics system as set forth in claim 6, wherein said process connection agent has or connects an integrated management system for, on a single enterprise basis, managing the above supply chain management system and the above transportation management system and optimizing the flow of saleable items {Column 4, Lines 42-444, wherein this reads over “the Gelco checks (6) and information from input devices (2 and 4) then are fed into the DEAL system (8), to properly reflect discretionary spending”}.

As for claim 8, WOJCIK discloses a logistics system as set forth in claim 7, wherein said integrated management system optimizes the flow of saleable items for each business process {Column 5, Lines 62-65, wherein this reads over “this begins with the order acceptance process all the way through the collection and application of cash”}.

As for claim 9, WOJCIK discloses a logistics system as set forth in claim 8, wherein said business process forms at least one of a sales plan control process, shipment projection control process, transportation control process, production control process, purchase control process, incoming order control process, outgoing order control process, inventory control process, delivery center and warehouse control process, distribution processing control process, shipping control process, cargo information control process, ordered saleable item information control process, product control process and sales performance control process {Column 4, Lines 49-54,

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wherein this reads over “the information also flows from order management update control to pricing function (14) where the details of pricing are worked out using product costs, freight increments, profit margin, market adjustment and other charges to create correct pricing”}.

As for claim 10, WOJCIK discloses a logistics system as set forth in claim 7, wherein the integrated management system optimizes the flow of saleable items for each economic entity {Column 8, Lines 16-18, wherein this reads over “order delivery planning (300) is where orders are received from the order management system”}.

As for claim 11, WOJCIK discloses a logistics system as set forth in claim 5, wherein said customers and economic entities can freely connect to said process connection agent and can freely disconnect from said process connection agent {Column 8, Lines 33-35, wherein this reads over “the dotted line is for the carrier to actually call in and confirm or set the appointment with the warehouse”}.

As for claim 12, WOJCIK discloses a logistics system as set forth in claim 5, wherein said process connection agent optimally connects said customers and economic entities by transferring information relating to saleable items via an electronic communications network {Column 8, Lines 33-35, wherein this reads over “the dotted line is for the carrier to actually call in and confirm or set the appointment with the warehouse”}.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



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I. U.S. Patent:

- 1) U.S. Patent No. 5,631,827 (NICHOLLS ET AL) is cited to teach a logistic system for automating transportation of goods,
- 2) U.S. Patent No. 6,915,268 (RIGGS ET AL) is cited to teach transport logistics systems and methods, and
- 3) U.S. Patent No. 6,957,197 (ALTENDAHL ET AL) is cited to teach load planning tables for a parcel shipping system.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
10/27/2005

  
DEANT. NGUYEN  
PRIMARY EXAMINER  
11/8/05